IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 8TH MAY 2007 / 18TH VAISAKHA 1929

Crl.MC.No. 1490 of 2007()

CRRP.43/2006 of ADDL. SESSIONS COURT-II, MAVELIKKARA
CC.12/2005 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHENGANNUR

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PETITIONER:

XAVIER JOSEPH, AGED 52 YEARS,
S/O.A.V.XAVIER, EDAYATTU HOUSE, M.L.ROAD,
CHANTHAKADAVU, KOTTAYAM.

BY ADV. SRI.RINNY STEPHEN CHAMAPRAMPIL

RESPONDENTS:

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1. **JOHN PRAKASH MATHEW, ALINTA KANNIMAL,**
   CHERIYANADU, CHENGANNUR.

2. **STATE OF KERALA, REP. BY THE**
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. ARYAD ALI

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 08/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. M.C. No. 1490 OF 2007

Dated this the 8th day of May, 2007

O R D E R

Petitioner in this petition filed under section 482 Cr.P.C. is the accused in C.C.No.12/05 on the file of JFCM, Chengannur. Against the dismissal of the application to send the cheque for comparison to a handwriting expert the petitioner claims to have filed Crl.R.P.No.43/06 before the Addl. Sessions Court-II, Mavelikara. He also claims to have filed Crl.M.P.1285/06 for stay of further proceedings before the trial court. The grievance of the petitioner is that in spite of the fact that Crl.R.P. is ripe for hearing after service, it is not being taken up nor is the petition for stay and while so the trial court is proceeding with the matter. In the light of the circumstances stated above, I do not find it necessary to issue a notice to the first respondent. Accordingly, this Crl.M.C. is disposed of directing the Additional Sessions Court-II, Mavelikara to hear and dispose of the Crl.R.P.43/06 expeditiously and at any rate, within three months on receipt of a copy of this order. In case, that court finds it difficult to dispose of the Crl.R.P. due to other important pressing work, that court may dispose of Crl.M.P.1285/06 filed in the said R.P. expeditiously and at any rate, within two months of receipt of a copy of this order. Until the Lower Appellate Court disposes of the above proceedings, the proceedings in C.C.No.12/05 on the file of JFCM, Chengannur shall be kept in abeyance.

(V. RAMKUMAR, JUDGE)

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